

REMARKS/ARGUMENTS

Claim 22 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1 to 5, 7 to 10 and 21 to 25 were rejected under 35 U.S.C. §102(b) as being anticipated by Bryson et al. Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bryson et al. Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bryson et al. in view of Byrt et al.

Claim 22 has been amended for clarity.

Withdrawal of the rejections to the pending claims is respectfully requested, and reconsideration of the application as amended is respectfully requested.

35 U.S.C. 112 Rejection

Claim 22 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 22 has been amended to describe the reciprocating motion as defining a 360 degree motion.

Fig. 13 clearly shows the 360 degrees of reciprocating motion of the side table, and [0132] which describes the same speed over 150 to 280 degrees of the 360 degrees.

Withdrawal of the rejection to claim 22 is respectfully requested.

35 U.S.C. 102/103 Rejections

Claims 1 to 5, 7 to 10 and 21 to 25 were rejected under 35 U.S.C. §102(b) as being anticipated by Bryson et al. Claim 6 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bryson et al. Claim 11 was rejected under 35 U.S.C. 103(a) as being unpatentable over Bryson et al. in view of Byrt et al.

Claim 1 recites a transfer apparatus for a sheet material article trimmer, the transfer apparatus comprising:

a transfer element configured to grip the sheet material article and move the sheet material article in a transfer direction onto a moving side table of the sheet material article trimmer; and

a driver configured to move the transfer element at a same speed as the moving side table during a first time period, the speed of the side table and the transfer element varying during the first time period, when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction.

It is admitted that the speed of the side table in Bryson varies, as the side table reciprocates. However, there is no teaching or disclosure pointed to by the Office Action which indicates that the speed of the “transfer element varies during the first time period” when the driver moves the transfer element and the side table at a same speed.

The Office Action states at page 3 that the driver for the belts 162, 203 includes epicyclical gear unit 62 with a constant input speed member 61 and a variable speed member 64. However, there is absolutely no teaching or disclosure that this epicyclical gear unit 62 drives the belts 162, 203 which are driven by drive roller 165. Moreover, even if somehow it did, gear unit 62 is merely a differential device to alter phase but does not impart a reciprocating motion.

There also is absolutely no teaching or disclosure that the speed of the belts 162, 203 “varies during the first time period” as claimed. Bryson very clearly states that “it is desired to maintain the book velocity which is present during the front edge trimming and to transport the book over a considerable distance in delivering the book to the side edge table.” This transport is accomplished by belts 162, 203. (See Bryson at col. 11, lines 45 to 55). Maintaining a book velocity indicates a constant speed.

The Office Action states that the speed of the transfer elements varies as “implied in col. 17, lines 5 -10.” This section discloses no more than that the speed of the transfer element and the speed of the moving side table match at a single point in time. There is no disclosure that the

speed of the transfer element is anything other than constant, and not varying, at this point in time. See Bryson at column 17, lines 7 to 11: “the speed of the books and speed of the knife table 91 are matched (Fig. 25). *At this point* pressure plate 189 is swung upwardly to free the books from the drive of the pinch belts.” Col. 17, lines 7 to 11 of Bryson. Bryson clearly discloses that this match of speed is a single point of time.

With further respect to claim 22, Bryson also does not disclose “wherein the reciprocating motion defines 360 degrees of motion and the first time period corresponds to 130 degrees of the 360 degrees of the reciprocating motion of the side table.”

With further respect to claim 24, Bryson does not disclose “wherein the driver both increases and decreases the speed of the transfer element during the first time period.” The Office Action states that the speed increases and decreases when the driver is turned on and off. But this is not during the first time period.

With respect to claim 25, claim 25 recites a transfer apparatus for a sheet material article trimmer, the transfer apparatus comprising:

a transfer element configured to grip the sheet material article and move the sheet material article in a transfer direction onto a side table of the sheet material article trimmer; and

a driver configured to move the transfer element at a same speed as the side table during a first time period when the sheet material article is gripped by the transfer element and the side table is moving in the transfer direction;

the driver including an epicycle gear unit, the epicycle gear unit including a constant speed input member driven by a main trimmer drive of the sheet material article trimmer and a variable speed input member configured for varying an output of the epicycle gear unit so as to vary a speed of the transfer element.

The Office Action states at page 3 that the driver for the belts 162, 203 includes epicyclical gear unit 62 with a constant input speed member 61 and a variable speed member 64. However, there is absolutely no teaching or disclosure that this epicyclical gear unit 62 drives the belts 162, 203 which are driven by drive roller 165. Nor has the Office Action indicated any.

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Withdrawal of the rejections to the claims is respectfully requested herewith.

CONCLUSION

It is respectfully submitted that the present application is now in condition for allowance,
and Applicants respectfully requests such action.

Respectfully submitted,

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